



Costs Decision

Site Visit made on 22 January 2020

By Edward Cousins BA, BL, LLM, Barrister

an Inspector appointed by the Secretary of State

Decision date: 14 May 2020

**Costs application in relation to Appeal Ref: APP/R5510/W/19/3238939
118 High Street, Northwood, HA6 1BJ**

- The appeal is made under the Town and Country Planning Act 1990, section 78, 322 and Schedule 6. And the Local Government Act 1972, section 250(5)
 - The application is made by Goldenacre Estates Ltd for a full award of costs against the London Borough of Hillingdon
 - The appeal was against the refusal of planning permission for the development proposed described as: Demolition of the existing ground floor rear extension and replacement with new rear extension on the same plan footprint, and development of a new independent entrance to existing first floor residential unit.
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Decision

1. The application for an award of costs is refused.

Reasons

2. The Planning Practice Guidance advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. The essential feature raised by the Applicant in his claim for costs against the Local Planning Authority is on the basis of alleged unreasonable behaviour on its part which caused unnecessary and avoidable costs being incurred by the Applicant.
4. In my decision I have reached a different conclusion as to the merits of the Applicant's case on character and appearance in relation to the design, scale and form of the scheme, which differs from the case as presented by the Local Planning Authority in its decision notice, for the reasons set out in paragraphs 8 to 14. However, I have concluded that the proposal to introduce three floor-to-ceiling windows into the boundary wall would not be in keeping with the character and appearance of the area and the townscape of the area.
5. The Planning Practice Guidance indicates that local planning authorities will be at risk of an award being made against them if they fail to produce evidence to substantiate each reason for refusal. I appreciate that criticism has been made that in this case the local planning authority has been inconsistent in its approach to the proposed development. However, I am satisfied that the Council has adequately substantiated its approach.

6. As a result, it follows that I cannot agree that the local planning authority has acted unreasonably in this case. Accordingly, I conclude that there can be no question that the Applicant was put to unnecessary or wasted expense.

Conclusion

7. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in Planning Practice Guidance, has not been demonstrated.

Edward Cousins

INSPECTOR